



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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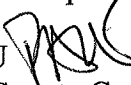
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February 18, 2015

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TO: PATRICK OGAWA
Acting Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel
Executive Office

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Ricky Allen v. County of Los Angeles, et al.
United States District Court Case No. CV 13-07916

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:cs

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Ricky Allen v. County of Los Angeles, et al., United States District Court Case No. CV 13-07916, in the amount of \$270,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit concerns allegations of excessive force, battery, and negligence involving an arrest and shooting by Sheriff's Deputies.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ricky Allen v. County of Los Angeles, et al.
CASE NUMBER	CV 13-07916
COURT	United States District Court
DATE FILED	September 25, 2013
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 270,000
ATTORNEY FOR PLAINTIFF	Brian Dunn, Esq. The Cochran Firm
COUNTY COUNSEL ATTORNEY	Karen Joynt
NATURE OF CASE	<p>This is a recommendation to settle for \$270,000 the lawsuit filed by Plaintiff Ricky Allen. Mr. Allen claims that Sheriff's Deputies unlawfully arrested and used excessive force on him on September 25, 2013.</p> <p>The Deputies contend their actions were reasonable. However, due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$270,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 15,130
PAID COSTS, TO DATE	\$ 1,603

Case Name: Ricky Allen v. County of Los Angeles, et al.



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Wednesday, September 25, 2013; approximately 2:40 p.m.
Briefly provide a description of the incident/event:	<p><u>Ricky Allen v. County of Los Angeles, et al.</u> Summary Corrective Action Plan 2014-044</p> <p>On Wednesday, September 25, 2013, at approximately 2:40 p.m., Los Angeles County deputy sheriffs, assigned to the Los Angeles County Sheriff's Department's Major Crimes Bureau, were conducting surveillance of a residence at 1721 South Burnside Avenue, Los Angeles. The residence was associated with a man (plaintiff) wanted for attempted murder and responsible for a series of arson fires.</p> <p>Two Los Angeles County deputy sheriffs observed the plaintiff exit the residence through a rear door and attempted to contact him. The two deputy sheriffs instructed the plaintiff to stop. The plaintiff, however, ran from them. The plaintiff ran to a cinder block wall, climbed it, and retrieved a black metal object from his pocket. The deputies instructed the plaintiff to drop the gun. When the plaintiff ignored the deputy sheriffs' instructions to drop the gun, a deputy involved shooting occurred.</p> <p>The plaintiff continued over the wall which led to a dry wash. The plaintiff was contained within the wash. He turned towards the deputy sheriffs with his arm still holding the black object and positioned it toward the two deputy sheriffs. When the plaintiff again ignored the deputy sheriffs' instructions to drop the gun, a second deputy-involved shooting occurred.</p> <p>The plaintiff was transported to Cedars-Sinai Medical Center for treatment of the injuries he sustained in the incident.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

The root cause in this incident is the plaintiff's disregard for the lawful authority of two Los Angeles County deputy sheriffs.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.

County of Los Angeles
Summary Corrective Action Plan

This incident is under investigation by representatives from the Los Angeles County Sheriff's Department's Homicide Bureau and the Los Angeles County Sheriff's Department's Internal Affairs Bureau. Once Homicide Bureau's investigation has been completed, the results will be forwarded to the Office of the Los Angeles County District Attorney for their review and consideration.

When the Internal Affairs Bureau investigation has been completed, the results will be forwarded to the Los Angeles County Sheriff's Department's Executive Force Review Committee for their review and consideration.

On or before June 30, 2015, this corrective action plan will be supplemented with a report to include 1) the results of the criminal investigation; 2) the results of the administrative investigation; 3) any personnel-related administrative action or other corrective measure(s) taken; 4) any systemic issue (e.g., training, curriculum, etc.) identified; and, 5) any other corrective action measure(s) identified and/or taken.

3. Are the corrective actions addressing department-wide system issues?

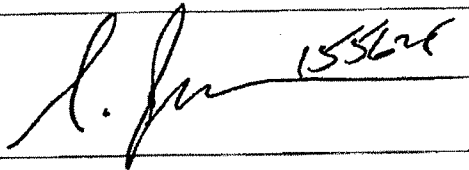
- ☐ Yes – The corrective actions address department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Scott E. Johnson, Captain
Risk Management Bureau

Signature:



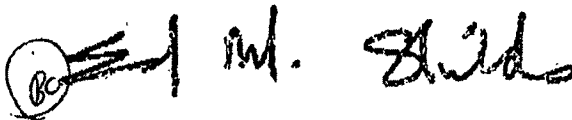
Date:

1-6-15

Name: (Department Head)

Earl M. Shields, Chief
Professional Standards Division

Signature:



Date:

01/06/15

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Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

- ☐ Yes, the corrective actions potentially have County-wide applicability.
☒ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

Destiny Castro

Signature:

Destiny Castro

Date:

1/17/2015